

REMARKS

The Examiner is thanked for the Official Action mailed May 23, 2002. This Amendment and request for reconsideration is intended to be fully responsive thereto.

Claims 1-7 were rejected under 35 USC §103(a), as being unpatentable over Lu (Des. 422,256) in view of Sherman (US 6,155,629) and further in view of Wang (Des. 413,850). Applicant respectfully disagrees. However, in order to expedite the prosecution of the present application, claim 1 has been amended to recite at least one third area having a substantially smooth bottom surface provided for receiving the wear plate fixed thereupon.

Regarding claim 1: Contrary to the Examiner's allegations, Lu fails to disclose the first area having a plurality of raised protrusions extending from the bottom surface thereof, thereby providing a texturized surface. Moreover, Lu fails to disclose the third area having the substantially smooth bottom surface provided for receiving the wear plate fixed thereupon, and the wear plate fixed to the smooth bottom surface of the third area.

Sherman teaches the heel pad secured to the middle portion of the top surface of the floor mat. Sherman fails to disclose the first area having a plurality of raised protrusions extending from the bottom surface thereof. Therefore, the modification and combination of the floor mat of Lu with the heel pad of Sherman cannot be made as the floor mat of Lu lacks the third area having the substantially smooth bottom surface provided for receiving the wear plate. In other words, it would not have been obvious to one of ordinary skill in the art to provide the floor mat of Lu with the heel pad of Sherman because the floor mat of Lu has no appropriate place to affix the wear plate. Furthermore, Lu neither suggests, nor provides any motivation to provide the floor mat with the wear plate. Thus, the rejection of claim 1 under 35 USC §103(a) is improper.

Regarding claim 5: The prior art fails to disclose the heel plate located in the lower section of the floor mat. The heel pad of Sherman is located in the middle section of the floor mat.

Regarding claim 6: The prior art fails to disclose the a toe plate located in the upper section of the mat. The Examiner erroneously alleges that Wang teaches the toe plate. In fact, Wang shows the design of the single-piece molded floor mat having neither toe pad nor heel pad. The floor mat of Sherman has only the heel pad. Moreover, Sherman neither suggests, nor provides any motivation to provide the floor mat with the toe plate. Thus, the rejection of claim 6 under 35 USC §103(a) is improper.

Regarding claim 7: The prior art fails to disclose the floor mat having both the toe plate located in the upper section of the mat and the heel plate located in the lower section of the floor mat. The Examiner erroneously alleges that Wang teaches the toe plate and the heel plate. In fact, Wang shows the design of the single-piece molded floor mat having neither toe pad nor heel pad. The floor mat of Sherman has only the heel pad. Moreover, Sherman neither suggests, nor provides any motivation to provide the floor mat with the toe plate. Thus, the rejection of claim 7 under 35 USC §103(a) is improper.

Therefore, claims 1-7 define the claimed invention over the prior art and are in condition for allowance.

Claims 8-9 and 11-13 were rejected under 35 USC §103(a), as being unpatentable over Lu (Des. 422,256) in view of Sherman (US 6,155,629) and further in view of Wang (Des. 413,850). Applicant respectfully disagrees. However, in order to expedite the prosecution of the present application, claim 8 has been amended to recite at least one third area having a substantially smooth recessed bottom surface provided for receiving the wear plate fixed thereupon.

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As argued above regarding the rejection of claims 1-7, Lu fails to disclose the first area having a plurality of raised protrusions extending from the bottom surface thereof, thereby providing a texturized surface. Moreover, Lu fails to disclose the third area having the substantially smooth recessed bottom surface provided for receiving the wear plate fixed thereupon, and the wear plate fixed to the smooth bottom surface of the third area. Furthermore, Lu neither suggests, nor provides any motivation to provide the floor mat with the wear plate.

Sherman teaches the heel pad secured to the middle portion of the top surface of the floor mat. Sherman fails to disclose the first area having a plurality of raised protrusions extending from the bottom surface thereof. Therefore, the modification and combination of the floor mat of Lu with the heel pad of Sherman cannot be made as the floor mat of Lu lacks the third area having the substantially smooth bottom surface provided for receiving the wear plate. In other words, it would not have been obvious to one of ordinary skill in the art to provide the floor mat of Lu with the heel pad of Sherman because the floor mat of Lu has no appropriate place to affix the wear plate.

The floor mat of Sherman has only the heel pad. Sherman neither suggests, nor provides any motivation to provide the floor mat with the toe plate.

The Examiner further alleges that Wang teaches the toe plate. The Examiner's position is in error. In fact, Wang shows the design of the single-piece molded floor mat having neither toe pad nor heel pad.

Thus, the rejection of claims 8-9 and 11-13 under 35 USC §103(a) is improper.

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Claim 10 was rejected under 35 USC §103(a), as being unpatentable over Lu (Des. 422,256) in view of Sherman (US 6,155,629) and further in view of Bell et al. (US 4,399,176). This rejection is respectfully traversed in view of the following comments.

First, as argued above regarding the rejection of claim 8, Lu fails to disclose the first area having a plurality of raised protrusions extending from the bottom surface thereof, thereby providing a texturized surface. Moreover, Lu fails to disclose the third area having the substantially smooth recessed bottom surface provided for receiving the wear plate fixed thereupon, and the wear plate fixed to the smooth bottom surface of the third area. Lu neither suggests, nor provides any motivation to provide the floor mat with the wear plate.

Sherman fails to disclose the first area having a plurality of raised protrusions extending from the bottom surface thereof. Therefore, the modification and combination of the floor mat of Lu with the heel pad of Sherman cannot be made as the floor mat of Lu lacks the third area having the substantially smooth bottom surface provided for receiving the wear plate.

Second, The Examiner erroneously alleges that Bell teaches the floor mat having the metal plate with texturized pattern. In fact, Bell discloses the floor mat provided with "a rigid rib or plurality of rigid ribs, integrally formed in, embedded in securely fixed relationship, or otherwise mechanically secured to a thin, flexible-sheet mat structure. The functional objective of incorporation of the rigid rib is to provide a degree of inflexibility to the floor mat", not for providing the floor mat with the wear resistant plate surface (see column 2, lines 59-67).

Bell further discloses that the ribs may be formed from a metallic wire rod (see column 3, lines 11-12), not the metal plate, as erroneously alleged by the Examiner. Thus, Bell fails to disclose the floor mat having the metal plate with texturized pattern. Therefore, even if the

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modification and combination of Lu and Sherman and Bell can be made, the resulting floor mat would lack the wear plate comprising the metal plate with texturized pattern. For that reason, the rejection of claim 10 under 35 USC §103(a) is improper.

New claim 14 has been added.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE.**"

It is respectfully submitted that claims 1-13, as amended, and new claim 14 define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

Respectfully submitted,



Matthew W. Stavish, Esquire  
Reg. No. 36,286

Liniak, Berenato, Longacre & White  
6550 Rockwood Drive, Ste. 240  
Bethesda, Maryland 20817  
(301) 896-0600

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

Claims 1 and 8 have been amended as follows:

1. (Amended) A vehicle floor mat comprising:

a molded flexible mat having a raised peripheral lip provided on side edges of the molded mat;

← a first area contained within the peripheral lip, said first area having a recessed bottom surface and a plurality of raised protrusions extending from said bottom surface thereby providing a texturized surface;

at least one third area having a substantially smooth bottom surface; and

at least one wear plate fixed upon [the] said smooth bottom surface of said at least one third area of the molded mat.

8. (Amended) A vehicle floor mat comprising:

a molded flexible mat having a front surface with a raised peripheral lip provided on side edges of the molded mat;

a first area contained within the peripheral lip, said first area having a first texturized surface pattern;

a second area contained within the peripheral lip, said second area having a second texturized surface pattern different from said first pattern, wherein said first area of the molded mat generally

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covers an upper section and a lower section of a substantial floor area of the mat, and said second area of the molded mat generally covers a middle section of the substantial floor area of the mat; at least one third area having a substantially smooth recessed bottom surface; and at least one wear plate fixed upon said [a] recessed bottom surface of [the first] said at least one third area of the molded mat.

New claim 14 has been added as follows:

14. The vehicle floor mat according to claim 1, wherein said at least one wear plate comprises a metal plate having a texturized surface pattern.